

ORIGINAL

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TRUCKEE CARSON IRRIGATION DISTRICT

UNITED STATES DISTRICT COURT**DISTRICT OF NEVADA**

GEORGE P. GENTNER,

Plaintiff,

vs.

SHELBY E. CECIL, individually and in his
official capacity as Water Master for the Truckee
Carson Irrigation District, CHUCK VINCENT,
individually and in his official capacity as Water
Conservation Coordinator of the Truckee Carson
Irrigation District, W. CHRISTOPHER CECIL,
individually and in his official capacity as Ditch
Rider for the Truckee Carson Irrigation District,
KELLY CECIL, individually as an employee of
the Truckee Carson Irrigation District,
TRUCKEE CARSON IRRIGATION DISTRICT,
a political subdivision of the State of Nevada,

Defendants.

Case No. CV-N-02-0456-ECR(VPC)

**AFFIDAVIT OF ERNEST C.
SCHANK IN SUPPORT OF
DEFENDANT'S SUPPLEMENTAL
BRIEF**

STATE OF NEVADA)
) SS.
COUNTY OF CHURCHILL)

I, Ernest C. Schank do hereby swear under penalty of perjury that the assertions of this
affidavit are true, and I assert as follows:

29

1 I am the President of the Board of Directors for Truckee Carson Irrigation District
2 ("TCID").

3 2. TCID is privately run by the land owners within the district. Such land owners
4 have the right to elect the Board of Directors. The amount of water rights owned determines the
5 number of votes the land owner has.

6 3. TCID's Board of Directors has the authority to make all employment decisions,
7 including the training and supervising of its employees. The State of Nevada has no control or
8 influence, and is not involved in any way, in the training and supervising of TCID employees.

9 Further your affiant sayeth naught.

10
11 
12 ERNEST C. SCHANK
13

14 SUBSCRIBED AND SWORN to before

15 me this 24 day of May, 2004.
16

17 
18 NOTARY PUBLIC
19



CERTIFICATE OF SERVICE

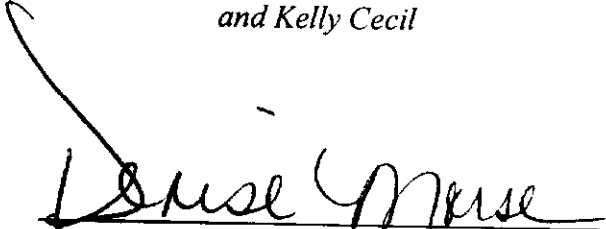
Pursuant to NRCP 5(b), I hereby **certify** that I am an employee of LAXALT & NOMURA, LTD., and that on the 2nd day of June, 2004, I served a true and correct copy of the ORIGINAL AFFIDAVIT OF ERNEST C. SCHANK IN SUPPORT OF DEFENDANT'S SUPPLEMENTAL BRIEF by:

- ☒ Mail on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At the Law Offices of Laxalt & Nomura, mail placed in that designated area is given the correct amount of postage and is deposited that same date in the ordinary course of business, in a United States mailbox in the City of Reno, County of Washoe, Nevada.
- ☐ Personal delivery by causing a true copy thereof to be hand delivered this date to the address(es) at the address(es) set forth below.
- ☐ Facsimile on the parties in said action by causing a true copy thereof to be telecopied to the number indicated after the address(es) noted below.
- ☐ Federal Express or other overnight delivery.
- ☐ Reno/Carson Messenger Service

addressed as follows:

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Denise Morse, an employee of Laxalt & Nomura, Ltd.